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Chairman: Mr. Belinga-Eboutou ..... (Cameroon)

Contents

Agenda item 113: Promotion and protection of the rights of children (*continued*)

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The meeting was called to order at 10.20 a.m.

Agenda item 113: Promotion and protection of the rights of children (*continued*) (A/C.3/58/L.23/Rev.1, L.28 and L.83)

Draft resolution A/C.3/58/L.28: Office of the Special Representative for Children and Armed Conflict

1. **The Chairman** said that the following countries had joined in sponsoring the draft resolution: Benin, Burkina Faso, Cameroon, Colombia, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Denmark, Egypt, Ethiopia, the Gambia, Germany, Guinea-Bissau, Kenya, Malawi, Malaysia, Mali, Mauritania, the Niger, Nigeria, Rwanda, the Sudan, Swaziland, the Syrian Arab Republic and the United Republic of Tanzania.

2. **Mr. Mulyana** (Indonesia) wished to know the number of operative paragraphs in the draft resolution.

3. **Mr. Moungara-Moussotsi** (Gabon) confirmed that there was only one operative paragraph. On behalf of the sponsors, he said that the many conflicts in the world, especially in Africa, involved child combatants, in violation of international human rights law. The Office of the Special Representative for Children and Armed Conflict, which had been created to spare children from the trials and tribulations of deadly armed conflict, had been experiencing financial difficulties because, unlike other departments in the United Nations system, it depended entirely on voluntary contributions. Moreover, those contributions, amounting to $1.9 million, were not sufficient to cover the some $4 million needed to meet the needs of the Office. Financial stability was necessary to ensure that the Office could properly carry out its mandate and maintain a permanent staff.

4. The draft resolution called for the Office of the Special Representative for Children and Armed Conflict to be supported, like the Office for the Coordination of Humanitarian Affairs and the Office of the High Commissioner for Human Rights, by both voluntary contributions and regular budgetary funding. If its adoption were delayed, it would not be possible to obtain the necessary resources, because the 2003-2004 biennial budget was currently being discussed by the Fifth Committee.

5. **Mr. Cabral** (Guinea-Bissau), taking note of the statement made by the representative of the Programme Planning and Budget Division at the previous meeting, said that his delegation was dumbfounded by the fact that he had not taken into account any of the previous discussions by delegations and was perplexed by his relaxed attitude. Each delegation had wanted specific information for guidance and at least some preliminary figures. Instead, the representative of the Programme Planning and Budget Division had fallen back on a text that he had read out at the previous meeting. His delegation wished to stress its dissatisfaction with the position of the Programme Planning and Budget Division, because it had not met its obligation to provide delegations with the information necessary to make decisions. He hoped that the statement by the Programme Planning and Budget Division would not have a negative impact on the adoption of the draft resolution. It was imperative that the Programme Planning and Budget Division should provide reliable figures.

6. **Ms. Sonaike** (Nigeria) commended the work of the Office of the Special Representative and affirmed her delegation's full support for the draft resolution. She recalled his report to the General Assembly and the graphic film presentation on children and armed conflict. The question of child conscription must not be trivialized, as the Committee was doing. The Committee had a duty to children, particularly those in conflict areas, to adopt the draft resolution and to strengthen the Office of the Special Representative.

7. **Mr. O'Neil** (United Kingdom of Great Britain and Northern Ireland), speaking in explanation of vote before the voting on behalf of Belgium, Denmark, Finland, Germany, Luxembourg, the Netherlands, Poland, Sweden and his own delegation, said that they continued to attach the highest importance to the General Assembly's mandate for children and armed conflict, as demonstrated through their political, moral and considerable financial support for that mandate at all levels of the United Nations system. The international community must build on its commitment to protect children in armed conflict and help the United Nations system to respond to the needs of children on a sustainable basis.

8. The draft resolution, however, would undermine the effectiveness of future United Nations responses, for four key reasons. First, the draft resolution prejudged the Secretary-General's forthcoming report

on children and armed conflict. Secondly, there was currently no urgency or need for a resolution, given that the Office of the Special Representative was able to function until June 2004, thereby allowing ample time for the Secretary-General's report to be considered and acted on. Thirdly, the draft resolution promoted divisions by failing to address the whole United Nations system, including key players such as UNICEF and the Department of Peacekeeping Operations. Finally, he believed that the Fifth Committee was the proper place to consider a draft resolution that touched exclusively on budgetary matters.

9. Their delegations were confident that the Secretary-General's report would help Member States to take stock of progress and determine future priorities. Although the draft resolution was well intended, they believed that it was misplaced. For the foregoing reasons, the delegations for which he spoke felt compelled to vote against the draft resolution.

10. **Mr. Fox** (United States of America) praised the Office of the Special Representative for its commitment to the protection of children in armed conflict, particularly in countries mentioned in his annual report. He regretted, however, that the sponsors of the draft resolution were unwilling to wait for the forthcoming report of the Secretary-General, which would provide a comprehensive assessment of the United Nations system's response to children affected by armed conflict. He also regretted that the report had not yet been submitted; that should be done as soon as possible. Meanwhile, however, the action requested by the sponsors of the draft resolution was premature. His delegation believed that the part of the draft resolution pertaining to financing the mandate fell within the purview of the Fifth Committee and should not be raised in the Third. Furthermore, the mandate should continue to be voluntarily funded. It was not anticipated that the mandate would be permanent, or even long term. Therefore, his Government must vote against the draft resolution.

11. **Ms. Tejima** (Japan), speaking in explanation of the vote before the voting, said that her delegation could not support the funding of any United Nations organ through the regular budget without proper discussion and assessment. The fact that the Office of the Special Representative was the only organ in the United Nations system dealing with children in armed conflict that was supported through voluntary contributions reflected its specific and even limited role, which could be integrated into other bodies or suspended. Furthermore, her delegation could not accept any resolution that might prejudge the Secretary-General's forthcoming comprehensive assessment of the United Nations system's response.

12. Her Government attached great importance to the issue of children in armed conflict and had been providing humanitarian and development assistance to countries such as Afghanistan, Sri Lanka and Sierra Leone. While she appreciated the achievements made thus far by the Special Representative, her Government doubted whether the Office should be strengthened or continue to be an independent organ. To tackle other more pressing and complex issues related to children in armed conflict, such as disarmament, demobilization and reintegration and the commercial sexual exploitation of children, the Office of the Special Representative should be integrated into relevant United Nations organs such as UNICEF, and advocacy and field activities should be carried out interdependently through a strengthened United Nations system response as a whole.

13. Her delegation regretted that the draft resolution had been introduced without in-depth consultations or a comprehensive assessment; indeed, it should not have been introduced in the first place. Japan would therefore be voting against it.

14. **Ms. Otiti** (Uganda) said that her delegation attached great importance to all efforts made to end the involvement of children in armed conflict. She regretted, however, that for political reasons the Special Representative had ignored the plight of children in many parts of the world, including northern Uganda, as was shown by his report (A/58/328). She also regretted that language introduced by her delegation into the draft resolution, which called on the Special Representative to visit the areas that he had never visited, had been withdrawn. Her delegation therefore found it tragic that the operations of the Office of the Special Representative would be funded without an appeal to the Special Representative to visit the areas that he had ignored. She would therefore abstain and regretted that her delegation could not join the consensus.

15. **Ms. Maillé** (Canada) said that her Government was strongly committed to addressing the plight of children in armed conflict, as was shown by Canada's

chairmanship of the donor group of the Office of the Special Representative. She deeply regretted, however, that the Committee was taking action without a thorough understanding of the situation. Her delegation therefore felt compelled to vote against the draft resolution. The issue must be addressed in a comprehensive manner to best support the United Nations system in its efforts.

16. **Mr. De Alba** (Mexico) affirmed his delegation's support for the work of the Special Representative, and would be voting in favour of the draft resolution. He was puzzled at the way the Secretariat had conducted its work and wished to highlight the inadequate conditions under which the Committee was taking its decisions, in the hope that such a situation would not repeat itself. With respect to paragraph 1 of the draft resolution as orally revised, regular budgetary funding of the Office should not rule out further voluntary contributions, as there was a need for many resources. He hoped that the Fifth Committee would be better informed and that the Secretariat would provide the necessary detailed information after a decision was made in the Third Committee.

17. **Ms. Groux** (Switzerland) associated her delegation with the statements made by the representatives of Canada and the United Kingdom.

18. *A recorded vote was taken on draft resolution A/C.3/58/L.28.*

In favour:

Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, France, Gabon, Ghana, Guatemala, Guinea-Bissau, Guyana, Haiti, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Sierra Leone, Singapore, Slovenia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Belgium, Bosnia and Herzegovina, Canada, Denmark, Finland, Georgia, Germany, Iceland, Israel, Japan, Lithuania, Luxembourg, Netherlands, Poland, Republic of Moldova, Romania, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Andorra, Argentina, Bahamas, Belarus, Brazil, Bulgaria, Burundi, Croatia, Czech Republic, Estonia, Hungary, India, Mongolia, New Zealand, Norway, Panama, Paraguay, Portugal, Republic of Korea, San Marino, Serbia and Montenegro, Slovakia, Spain, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Uruguay, Venezuela.

19. *Draft resolution A/C.3/58/L.28 was adopted by 106 votes to 21, with 29 abstentions.*

20. **Ms. Rødsmoen** (Norway) stressed that her delegation's abstention should in no way be construed as a lack of commitment to the work of the Special Representative and his Office. Her delegation looked favourably at support for the Office through regular budgetary funding to avoid financial instability and any adverse impact on work to be done. She eagerly awaited the forthcoming comprehensive assessment of the United Nations system's response, which she believed would be valuable. Norway did not wish to diminish the flexibility of that response or prejudge the assessment before it was submitted, and therefore did not find it expedient to endorse the draft resolution.

21. **Ms. Pulido-Santana** (Venezuela) regretted that her delegation had had to abstain because of the budgetary implications of the draft resolution. Her delegation had always supported the work of the Special Representative. She hoped that voluntary contributions to his Office would continue and that the issue of funding would be duly considered in the Fifth Committee.

22. **Mr. Schurti** (Liechtenstein) agreed in principle that the Office of the Special Representative should be supported through regular budgetary funding. He was disappointed and puzzled, however, at the timing of the draft resolution and the unusual manner in which it had been presented. He feared that the Committee was "putting the wagon before the ox" and wondered how the Fifth Committee could make an informed decision before it had an opportunity to study the comprehensive assessment requested in General Assembly resolution 57/190.

23. **Ms. Carvalho** (Portugal) said that her delegation attached great importance to the issue of children and armed conflict, an issue that had first been debated in the Security Council during Portugal's presidency, in 1998. Her delegation believed, however, that the presentation of the draft resolution was ill-timed and that action should be taken only after consideration of the comprehensive assessment of the United Nations system's response.

24. **Ms. Tomič** (Slovenia) said that her delegation had reservations regarding the decision-making process; however, in order to show its support for the work of the Special Representative, it had voted in favour of the draft resolution on the understanding that no precedent would be set regarding the Fifth Committee's consideration thereof.

25. **Ms. Khalil** (Egypt) asked which delegation had requested a recorded vote on the draft resolution.

26. **The Chairman** replied that the recorded vote had been requested by the delegations of the United States of America and Japan.

Draft resolution A/C.3/58/L.23/Rev.1 entitled "Importance of the role of parents in the care, development and well-being of children", and amendments thereto in document A/C.3/58/L.83

27. **Ms. Elisha** (Benin), speaking on behalf of the sponsors, announced that Malawi, Swaziland, Algeria and Cape Verde had withdrawn their sponsorship and that the United States of America and Haiti had become sponsors.

28. Amendment 1 in document A/C.3/58/L.83 would amend the title of draft resolution A/C.3/58/L.23/Rev.1 by adding a comma and the words "legal guardians and other caregivers in the promotion and protection of the rights of the child and" after the word "parents". However, the word "parents" in the draft resolution was meant to be interpreted broadly as including single parents, parents in polygamous families, legal guardians and all other caregivers. Moreover, the proposed amendment would distort the meaning of the original title by stressing the promotion and protection of the rights of the child rather than the role of parents.

29. Amendment 2 in document A/C.3/58/L.83 would reaffirm the human rights instruments which were recalled in the first preambular paragraph of the draft resolution and would add a reference to the Convention on the Elimination of All Forms of Discrimination against Women; the original language was preferable since the intent of the draft resolution was to focus not on the rights of parents, but on their role. The two new preambular paragraphs proposed in amendment 3 were equally unacceptable since they stressed the rights of the child rather than the role of parents and included an exhaustive definition of the family, which was unnecessary since children were raised by their extended families in many countries, including those of Africa. Amendments 4, 5 and 6 were amply covered by the fifth preambular paragraph and paragraphs 2 and 3 of the draft resolution, respectively. Apparently, the sole purpose of all the proposed changes was to alter the original intent of the draft resolution by filling it with references to the rights of the child.

30. A total of 21 paragraphs of the original text of the draft resolution (A/C.3/58/L.23) had been deleted or amended in order to accommodate the sponsors of the proposed amendments in document A/C.3/58/L.83; in retrospect, those concessions appeared excessive since 17 delegations, 10 of them from Latin American countries, had then proposed additional amendments designed to try the patience of the sponsors to its limit.

31. She urged delegations not to fall into the trap of the "agreed language" argument used by the sponsors of the proposed amendments or to permit the sabotage of a draft resolution which paid tribute to those who bore the heavy responsibility of child-rearing. Unless the proposed amendments were withdrawn, she would call for a recorded vote on amendment 1 in document A/C.3/58/L.83 and for a second recorded vote on amendments 2-6.

32. **The Chairman** announced that Bangladesh and Gabon had become sponsors of the draft resolution.

33. **Mr. Begg** (New Zealand) said that he deeply regretted the call for a recorded vote on the

amendments in document A/C.3/58/L.83. The sponsors of the proposed amendments, including his own delegation, endorsed the views expressed in the draft resolution; their concerns focused on what had been left unsaid. They had displayed great flexibility, negotiated for hours and made many proposals based on agreed language; while many of those proposals had been accepted, the most important had been rejected.

34. He failed to understand why the sponsors were unwilling to reaffirm the Convention on the Rights of the Child, which was the most widely ratified human rights instrument and the source of most treaty language on the rights, duties and responsibilities of parents; failure to include such a reaffirmation would suggest an attempt to elevate parents' rights above those of children. The representative of Benin had maintained that the draft resolution had nothing to do with human rights, yet its paragraph 2 reaffirmed that parents had the right to choose the kind of education given to their children while making no mention of children's right to an education. The rights of the child were inherent; they were not derived from those of the parent, as the draft resolution implied.

35. The sponsors of the draft resolution were also reluctant to accept the second new preambular paragraph proposed by amendment 3 in document A/C.3/58/L.83 despite the fact that it reproduced the language of paragraph 15 of the document "A world fit for children" (A/S-27/19/Rev.1), adopted by consensus in May 2002 at the special session of the General Assembly on children, and also appeared in recently adopted resolutions of the Committee and of the Commission on Human Rights; similar formulations had been agreed in the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the Copenhagen Declaration on Social Development.

36. It was hardly the time to adopt a resolution implying that the only form of family acceptable for raising children was the nuclear family. Just two days previously, UNICEF had predicted that by the end of the decade, 20 million children in Africa alone would be orphaned by human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS); the majority of AIDS orphans were raised by their extended families or by older siblings. The reference to their plight in the sixth preambular paragraph of the draft resolution was not enough; moreover, by stating that parents had the unique duty to raise their children, paragraph 1 had the unfortunate and, he hoped, unintended implication that no one else had that duty, even in the parents' absence.

37. The proposed amendments contained no hidden agenda or ulterior motive; they represented agreed language and their sponsors' desire to acknowledge the role of the extended family in child-rearing. He urged delegations to adopt them and hoped that the draft resolution, with the incorporation of those amendments, would then be adopted by consensus. Lastly, he announced a revision of amendment 6 in document A/C.3/58/L.83: the proposed text should be added as a new paragraph 3 bis, without replacing paragraph 4 of the draft resolution.

38. **Ms. Corkery** (United States of America) said that the proposed amendments would erode the core principles of the draft resolution, which was a necessary and long-overdue affirmation of the role of parents. The draft resolution had already been significantly amended and she hoped that it would be adopted by consensus without the incorporation of the proposed amendments.

39. **Mr. Roshdy** (Egypt) said that the representative of New Zealand was well aware that, under rule 130 of the rules of procedure, if the proposed amendments were adopted by a recorded vote, the draft resolution could not be adopted by consensus. A total of 64 amendments to the original text of the draft resolution (A/C.3/58/L.23) had been proposed; they had later been combined into 16 proposals, of which the sponsors had accepted 12. By submitting document A/C.3/58/L.83, the sponsors of the proposed amendments had demonstrated a lack of good faith.

40. The proposed amendments could have been included in any of the Committee's draft resolutions on children; there was no need to incorporate them into the first draft resolution on the role of parents which had ever been submitted. If their sponsors' intent had been to make it clear to the international community that the United Nations was divided on the issue of the role of parents, he congratulated them on having achieved their goal. He would vote against the proposed amendments and would regret it if the draft resolution could not be adopted by consensus.

41. **Mr. Cabral** (Guinea-Bissau) said that he associated himself with the statement made by the representative of Benin; her frustration was explained by the representative of Egypt's remarks. Delegations

should be aware that the sponsors of the draft resolution had done their utmost to arrive at a consensus text; it was difficult to understand why efforts had been made to change even the title of the draft resolution and to diminish its intent, which was not to define the term "parents" but rather to reaffirm their role in their children's development.

42. It was true that the proposed amendments reflected language agreed in previously adopted documents; however, that did not mean that that language was appropriate in the context of the draft resolution under consideration. He would have no objection to drafting another resolution reflecting the legitimate concerns expressed in the proposed amendments at a later date.

43. **Ms. Elisha** (Benin) announced that Myanmar had become a sponsor of the draft resolution. Furthermore, although the delegation of Lesotho had informed her that it had been mistakenly listed as a sponsor of the draft resolution, the list of sponsors had in fact been signed by the Permanent Representative of Lesotho.

44. **Mr. Maquieira** (Chile) said that as a sponsor of the proposed amendments, he endorsed the statement made by the representative of New Zealand. The intent was not to weaken the draft resolution, but rather to complement and strengthen it in the spirit of the progressive development of the rights of the parent and the child.

45. **Ms. Groux** (Switzerland) said she was amused by the representative of Egypt's complaint regarding the large number of proposed amendments to the draft resolution, since he himself had once proposed a full 53 amendments to another draft resolution.

46. The sponsors of the proposed amendments had spent days in an attempt to propose constructive language that would enrich the draft resolution and ensure its consistency with the obligations assumed by the States parties to the Convention on the Rights of the Child and by all the Member States, which had adopted the document "A world fit for children" by consensus.

47. **Ms. Moteetee** (Lesotho) reiterated her delegation's desire to withdraw its sponsorship of the draft resolution.

48. **Ms. Taracena Secaira** (Guatemala) said that she associated herself with the statements made by the representatives of New Zealand, Chile and Switzerland; it was not their intention to sabotage the draft resolution; rather, they wished to complement and strengthen it.

49. **Ms. Uluiviti** (Fiji) said that, as a sponsor of the draft amendments, she endorsed the statement made by the representative of New Zealand. It was her understanding that the draft resolution was intended to give needed leverage to vulnerable groups; she would therefore have preferred to have its title refer to the "role, responsibilities and duties of parents" and to reflect the agreed language of the conventions and outcome documents painstakingly negotiated in recent years. Since her Government had adopted new legislation reflecting the indigenous nature of parenting in Fiji, she would also have liked to see the inclusion of a reference to caregivers, legal guardians and others with responsibility for child-rearing. She regretted that a draft resolution on the rights of children and the integrity of the family must be put to a vote, and she called on delegations to uphold the agreed principles embodied in the proposed amendments.

50. **Mr. García González** (El Salvador) said that he associated himself with the statements made by other sponsors of the proposed amendments and supported the inclusion of agreed language reflecting all the United Nations conventions on vulnerable persons.

51. **Mr. Rowe** (Sierra Leone) said that the amendments in document A/C.3/58/L.83 complicated the provisions of the draft resolution rather than complementing them, and tended to create a conflict of roles between the parent and the family. The purpose of the original draft resolution A/C.3/58/L.23 had not been to define concepts such as the family and parenthood. In Africa there was respect for the role of those who took care of children; perhaps nowhere in the world was the concept of the extended family more important. The provisions of draft resolution A/C.3/58/L.23/Rev.1 should be retained, and the proposed amendments rejected.

52. **Mr. Dhakal** (Nepal) said that his delegation appreciated both the initiative of Benin on behalf of the sponsors of draft resolution A/C.3/58/L.23/Rev.1 and the efforts of New Zealand in proposing the amendments. However, both sides should have demonstrated the flexibility necessary to improve the text, and his delegation would like to see the Committee adopt the draft resolution by consensus in

order to send a clear message regarding the protection of the rights of the child.

53. **Mr. Roshdy** (Egypt), speaking in explanation of vote before the vote, said that his delegation would vote against the proposed amendments, not just because they were irrelevant to the subject of the draft resolution but also because it would be the only way to ensure that the draft resolution was adopted by consensus.

54. **Ms. Mohamed Ahmed** (Sudan) thanked the delegation of Benin for its initiative and said that the proposed amendments diluted the ideas contained in the draft resolution and destroyed its main thrust, which was the importance of the role of parents in the upbringing of children. Her delegation would therefore vote against all the amendments.

55. **Mr. Alaei** (Islamic Republic of Iran) said that his delegation would vote against all the proposed amendments, mainly because they would deviate from the core concept of the draft resolution, but also because they would have the effect of complicating, not complementing the text, as the representative of Sierra Leone had pointed out.

56. **The Chairman** invited the Committee to take action on the amendments proposed in document A/C.3/58/L.83, noting that a separate vote would first be held on amendment 1 regarding the title of the draft resolution.

57. *A recorded vote was taken on amendment 1.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against:

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, China, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominica, Egypt, Eritrea, Gabon, Ghana, Guinea-Bissau, Haiti, Indonesia, Iran (Islamic Republic of), Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mauritius, Morocco, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sudan, Syrian Arab Republic, Togo, United Arab Emirates, United Republic of Tanzania, United States of America, Yemen, Zambia, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Armenia, Barbados, Belize, Bhutan, Botswana, Ethiopia, Guyana, Honduras, India, Israel, Jamaica, Kuwait, Lebanon, Maldives, Mali, Mongolia, Mozambique, Saint Lucia, South Africa, Suriname, Swaziland, Uganda, Viet Nam.

58. *Amendment 1 was adopted by 72 votes to 54, with 25 abstentions.*

59. **Ms. Elisha** (Benin) said that she regretted the outcome of the vote, and that it was rare indeed for delegations to come together and change the thrust of a draft resolution by changing its title.

60. **The Chairman** invited the Committee to take action on amendments 2-6.

61. *A recorded vote was taken on amendments 2-6.*

In favour:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay,

Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against:

Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, China, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominica, Egypt, Eritrea, Gabon, Guinea-Bissau, Haiti, Indonesia, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Morocco, Myanmar, Niger, Nigeria, Oman, Pakistan, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Sudan, Syrian Arab Republic, Togo, United Arab Emirates, United States of America, Yemen, Zambia, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Barbados, Belarus, Belize, Botswana, Ethiopia, Ghana, Guyana, India, Israel, Jamaica, Lesotho, Malawi, Mali, Mauritius, Mozambique, Namibia, Saint Lucia, Singapore, South Africa, Suriname, Swaziland, Uganda, United Republic of Tanzania, Viet Nam.

62. *Amendments 2-6 were adopted by 77 to 48, with 26 abstentions.*

63. **Ms. Kapalata** (United Republic of Tanzania), said she regretted that the Committee had been compelled to vote on agreed language. Her delegation had reluctantly abstained in the vote, purely because of the nature of the debate that had preceded it. The draft resolution was about the role of the parents, not necessarily the rights of the child, about which there was already an omnibus resolution before the Committee.

64. **Mr. Andrabi** (Pakistan) said that his delegation had co-sponsored draft resolution A/C.3/58/L.23 and had very reluctantly sponsored the revised draft because of the importance it attached to the development of children and the role of parents in that regard. Even though the new amendments had been drawn from agreed language, they had also been taken out of context, thereby fundamentally changing the orientation of the text. Pakistan was therefore compelled to withdraw its co-sponsorship, and would abstain in the forthcoming vote on the draft resolution as further amended.

65. **Ms. Al Haj Ali** (Syrian Arab Republic), supported by Rwanda, noted that her delegation had voted against the amendments in document A/C.3/58/L.83.

66. **Mr. Al-Bader** (Qatar), **Mr. Oubida** (Burkina Faso), **Mr. Ileka** (Democratic Republic of the Congo), **Mr. Roshdy** (Egypt), **Mr. Giorgis** (Eritrea), **Mr. Moungara-Moussotsi** (Gabon), **Ms. Gordon** (Haiti), **Ms. Thandar** (Myanmar), **Ms. Sonaike** (Nigeria), **Ms. Faye** (Senegal), **Ms. Msadabwe-Lambart** (Zambia), and **Mr. Kitchen** (Zimbabwe) said that their delegations would withdraw as sponsors of draft resolution A/C.3/58/L.23/Rev.1.

67. **Mr. Nsemi** (Congo), **Ms. Naz** (Bangladesh), **Mr. Nkingiye** (Burundi) and **Ms. Rahantabololo** (Madagascar) said that their delegations had voted against the amendments and wished to withdraw as sponsors of the draft resolution.

68. **Ms. Zhang** Meifang (China) said that her delegation regretted that the amendments to the draft resolution had substantially changed its title and content.

69. **Mr. Tidjani** (Cameroon), **Mr. Israfilov** (Azerbaijan), **Mr. Nsemi** (Congo), **Mr. Gba** (Côte d'Ivoire), **Mr. Gregoire** (Dominica), and **Mr. Moutari** (Niger) said that their delegations had voted against the amendments, would withdraw from the list of sponsors of draft resolution A/C.3/58/L.23/Rev.1, and would abstain in a vote on the revised draft resolution, as further revised.

70. **Mr. Gzllal** (Libyan Arab Jamahiriya) said that his delegation had voted against the amendments, not because it was against the paragraphs in the draft resolution referring to the various Conventions, to which his country was a party, but because it was against the amendments made to the draft resolution in general.

71. **Ms. Willson** (United States of America) said that her delegation would regretfully withdraw as a sponsor of the draft resolution. Her delegation could not accept the overemphasis given in the amended text to the Convention on the Rights of the Child or the assertion

that it must constitute the standard in the promotion and protection of the rights of the child. No single instrument set the exclusive standard for defining the rights and protections to be accorded to a nation's children. Her delegation therefore wished to propose further amendments to draft resolution A/C.3/58/L.23/Rev.1, as amended.

72. **The Chairman** said that the United States would have the opportunity to propose its amendments at a subsequent point.

73. **Mr. Zeidan** (Lebanon) said that, in view of the very disparate nature of the amendments, it was regrettable that a vote had been taken on an entire set. Thus, although his delegation had intended to support those parts of the amendments that strengthened the family and increased protection of the rights of children, it had ultimately refrained from taking action on the amendments taken as a whole.

74. **Ms. Zhang** Meifang (China) said that her delegation would abstain in a vote.

75. **Ms. Zoumanigui** (Guinea) said that, had her delegation been present during the vote, it would have voted against the amendments.

76. **Mr. Cabral** (Guinea-Bissau) said that the adoption of the amendments had distorted, if not destroyed, the aims of the draft resolution.

77. **Ms. Willson** (United States of America) said her delegation proposed the following oral amendments to draft resolution A/C.3/58/L.23/Rev.1, as amended. In the first preambular paragraph, the word "*Reaffirming*" would be replaced by the word "*Noting*". The second preambular paragraph would read, "*Emphasizing* that the Convention on the Rights of the Child, its Protocol on the sale of children, child prostitution and child pornography, its Protocol on the involvement of children in armed conflict, and other relevant instruments contain a comprehensive set of international legal standards for the protection and well-being of children and *reaffirming* that the best interest of the child shall be a primary consideration in all actions concerning children."

78. **Mr. Roshdy** (Egypt) said that his delegation was not ready to reflect on the proposed amendments and required 24 hours to do so, in accordance with rule 120 of the rules of procedure.

79. **Mr. Andrabi** (Pakistan) said that his delegation wished to propose two amendments to the revised draft resolution as amended by document A/C.3/58/L.83. The first, based on amendment 1 of that document, would insert in the title after the word "parents" the phrase "and, where applicable, members of the extended family". The second, based on the fifth preambular paragraph of the Convention on the Rights of the Child, would replace, in the third preambular paragraph, the words "basic unit" with the words "fundamental group" and would insert before the words "and as such" the phrase "and the natural environment for the growth of the child".

80. **Mr. García González** (El Salvador), supported by **Mr. Rowe** (Sierra Leone), said that, under rule 120 of the rules of procedure, his delegation would like to receive all the proposed amendments in writing.

81. **Mr. Cabral** (Guinea-Bissau), on a point of order, said that rule 120 should not be selectively applied. That rule also empowered the Chairman to permit discussion of amendments or procedural motions even if they had not been circulated.

82. **Mr. Roshdy** (Egypt), on a point of order, said that, given the mass withdrawal of sponsors of the original draft resolution and in the light of the proposed amendments to the revised draft resolution, of which there would doubtless be more and which would all need to be distributed in the six official languages before they could be considered, he proposed a no-action motion on the draft resolution.

83. *A recorded vote was taken on the no-action motion proposed by the representative of Egypt on draft resolution A/C.3/58/L.23/Rev.1, as further revised.*

In favour:

Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, China, Colombia, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mauritius, Morocco, Myanmar, Namibia, Niger, Nigeria, Oman,

Pakistan, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sudan, Suriname, Swaziland, Togo, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Abstaining:

Armenia, Belarus, Belize, Bolivia, Botswana, Jamaica, Mexico, Mozambique, Nicaragua, Russian Federation, Saint Lucia, South Africa, Uganda.

84. *The no-action motion proposed by Egypt was adopted by 66 votes to 63, with 13 abstentions.*

85. **Mr. Rowe** (Sierra Leone) said that the fact that the issue had been dropped did a great disservice to parents the world over.

86. **Ms. Mohamed Ahmed** (Sudan) thanked the delegation of Benin and the other sponsors for their initiative. The outcome of the proceedings had confirmed that the sponsors of document A/C.3/58/L.83, with its unwarranted amendments, had sorely undermined draft resolution A/C.3/58/L.23/Rev.1. Such a reaction to the role of parents by a United Nations body was lamentable.

The meeting rose at 1.30 p.m.